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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,249	06/18/2001	Lainye Reich	10017175-1	3832

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HONEYCUTT, KRISTINA B

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/884,249	REICH ET AL.	
	Examiner	Art Unit	
	Kristina B. Honeycutt	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-9, 12-14, 17-19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-9, 12-14, 17-19 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the Amendment filed October 25, 2005.

This action is made Final.

2. In the amendment, claims 5, 6, 10, 11, 15, 16 and 20 have been cancelled. Claims 21, 22 and 23 have been added. Claims 1-4, 7-9, 12-14, 17-19 and 21-23 are pending in the case. Claims 1, 8, 13 and 18 are independent claims.

3. The rejections of claims 1-4, 8, 9, 13, 14, 18 and 19 under 35 U.S.C. 102(e) as being anticipated by Shima (U.S. Patent 6369909; date of patent April 9, 2002; filed April 21, 2000) has been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 7-9, 12-14, 17-19 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima (U.S. Patent 6369909; date of patent April 9, 2002; filed

April 21, 2000) in view of Patel et al. (U.S. Patent RE37258; date of reissued patent July 3, 2001; filed October 14, 1998).

Regarding independent claim 1, Shima discloses identifying an application employed to generate a digital document in a computer system (col. 10, lines 47-55) since an application generates a document.

Shima further discloses identifying a select rendering application from a number of rendering applications to render the document into an output file embodied in a predefined file format (col. 10, lines 56-60; col. 32, lines 50-67; col. 33, lines 1-27) since a rendering application is identified to render the document into a predefined format.

Shima further discloses automatically rendering the digital document into the output file embodied in the predefined file format with the select rendering application (col. 10, lines 56-60; col. 32, lines 59-64) since the document is rendered into the predefined format.

Shima does not disclose setting a global print setting associated with the select rendering application to print to the output file. Patel teaches setting global print settings to print to an output file (col. 8, lines 22-25, 34-43) since Patel teaches necessary printer commands, print job description and printer identification being set for a print job. It would have been obvious to one of ordinary skill in the art, having the teachings of Shima and Patel before him at the time the invention was made, to modify the rendering method taught by Shima to include setting global print settings as taught

by Patel, because setting print settings would ensure that documents were transmitted to the appropriate printers, as taught by Patel (col. 8, lines 22-25, 34-43).

Shima does not disclose generating one of a plurality of instances of the select rendering application to automatically render the digital document into the output file, wherein the instances are executed concurrently. Patel teaches generating an instance to render the document to the output file and instances are executed concurrently (col. 8, lines 44-55) since Patel teaches instances of printer jobs being sent concurrently and the document would be rendered in order to print it. It would have been obvious to one of ordinary skill in the art, having the teachings of Shima and Patel before him at the time the invention was made, to modify the rendering method taught by Shima to include generating an instance to render the document as taught by Patel, because generating instances to render and executing the instances concurrently, as taught by Patel (col. 8, lines 44-55), would allow multiple users to send print requests simultaneously.

Shima does not disclose commanding the one of the instances of the select rendering application to perform a print operation on the digital document. Patel teaches commanding the instance to perform the print operation (col. 8, lines 56-67; col. 9, lines 1-11). It would have been obvious to one of ordinary skill in the art, having the teachings of Shima and Patel before him at the time the invention was made, to modify the rendering method taught by Shima to include commanding an instance to perform print operations as taught by Patel, because commanding the instance to print, as

taught by Patel (col. 8, lines 56-67; col. 9, lines 1-11), would allow users to print the rendered documents.

Regarding dependent claim 2, Shima discloses the step of receiving the digital document from a client device along with a rendering request (col. 26, lines 51-57).

Regarding dependent claim 3, Shima discloses the step of transmitting the digital document rendered in the output file embodied in the predefined file format to a client device (col. 33, lines 17-22).

Regarding dependent claim 4, Shima discloses the step automatically rendering the digital document into the output file in the predefined file format with the select rendering application further comprises rendering the digital document into a printer compatible output file embodied in a language native to a predefined printer (col. 10, lines 56-60; col. 32, lines 50-67; col. 33, lines 1-27, 35-40).

Regarding dependent claim 7, Shima does not disclose synchronizing an initiation of the print operation of the one of the instances of the select rendering application with a number of other initiations of print operations for other instances of the select rendering application to prevent a concurrent initiation of the print operation of at least two of the instances of the select rendering application. Patel teaches synchronizing initiations to prevent a concurrent initiation of the print operation (col. 8, lines 62-65; col. 9, lines 9-

11) since Patel teaches a queue used to store multiple print jobs and printing one instance at a time. It would have been obvious to one of ordinary skill in the art, having the teachings of Shima and Patel before him at the time the invention was made, to modify the rendering method taught by Shima to include synchronizing initiations of print operations as taught by Patel, because using a queue to store print jobs so that only one instance is processed at a time, as taught by Patel (col. 8, lines 62-65; col. 9, lines 9-11) would allow documents to be printed in the order they were sent in so that users who submitted print jobs first would receive their printed documents first.

Regarding claims 8, 9 and 12, the claims reflect the program embodied in a computer readable medium with code for performing the operations of claims 1, 4 and 7 respectively and are rejected along the same rationale.

Regarding independent claim 13, Shima discloses a processor circuit having a processor and a memory (col. 14, lines 51-54; col. 31, lines 62-64; col. 32, lines 16-19).

Shima further discloses a rendering service executable by the processor and stored in the memory (col. 32, lines 59-64).

Shima further discloses logic that identifies an application employed to generate a digital document in a computer system (col. 10, lines 47-55).

Shima further discloses logic that identifies a select rendering application from a number of rendering applications to render the document into an output file embodied in a predefined file format (col. 10, lines 56-60; col. 32, lines 50-67; col. 33, lines 1-27).

Shima further discloses logic that automatically rendering the digital document into the output file embodied in the predefined file format with the select rendering application (col. 10, lines 56-60; col. 32, lines 59-64).

Shima does not disclose logic that sets a global print setting associated with the select rendering application to print to the output file. Patel teaches setting global print settings to print to an output file (col. 8, lines 22-25, 34-43) since Patel teaches necessary printer commands, print job description and printer identification being set for a print job. It would have been obvious to one of ordinary skill in the art, having the teachings of Shima and Patel before him at the time the invention was made, to modify the rendering method taught by Shima to include setting global print settings as taught by Patel, because setting print settings would ensure that documents were transmitted to the appropriate printers, as taught by Patel (col. 8, lines 22-25, 34-43).

Shima does not disclose logic that generates one of a plurality of instances of the select rendering application to automatically render the digital document into the output file, wherein the instances are executed concurrently. Patel teaches generating an instance to render the document to the output file and instances are executed concurrently (col. 8, lines 44-55) since Patel teaches instances of printer jobs being sent concurrently and the document would be rendered in order to print it. It would have been obvious to one of ordinary skill in the art, having the teachings of Shima and Patel before him at the time the invention was made, to modify the rendering method taught by Shima to include generating an instance to render the document as taught by Patel, because generating instances to render and executing the instances concurrently, as

taught by Patel (col. 8, lines 44-55), would allow multiple users to send print requests simultaneously.

Shima does not disclose logic that commands the one of the instances of the select rendering application to perform a print operation on the digital document. Patel teaches commanding the instance to perform the print operation (col. 8, lines 56-67; col. 9, lines 1-11). It would have been obvious to one of ordinary skill in the art, having the teachings of Shima and Patel before him at the time the invention was made, to modify the rendering method taught by Shima to include commanding an instance to perform print operations as taught by Patel, because commanding the instance to print, as taught by Patel (col. 8, lines 56-67; col. 9, lines 1-11), would allow users to print the rendered documents.

Regarding dependent claims 14 and 17, the claims reflect the rendering system for performing the operations of claims 4 and 7 respectively and are rejected along the same rationale.

Regarding claims 18 and 19, the claims reflect the rendering system for performing the operations of claims 1 and 4 respectively and are rejected along the same rationale.

Regarding dependent claim 21, Shima does not disclose the global print setting set when the one of the instances of the select rendering application is commanded to perform the print operation differs from the global print settings set when other ones of

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the instances are commanded to perform the print operations. Patel teaches differing instances for print operations (col. 8, lines 22-25, 34-43) since Patel teaches setting print job descriptions and printer identifications that are specific to a print job. It would have been obvious to one of ordinary skill in the art, having the teachings of Shima and Patel before him at the time the invention was made, to modify the rendering method taught by Shima to include differing instances as taught by Patel, because creating different instances for print jobs, as taught by Patel (col. 8, lines 22-25, 34-43), would differentiate between print jobs since the settings would be specific to each job.

Regarding dependent claims 22 and 23, the claims reflect the program and rendering system for performing the operations of claim 21 and are rejected along the same rationale.

Response to Arguments

5. Applicant's arguments filed October 25, 2005 with respect to amended claims 1-4, 7-9, 12-14, 17-19 and added claims 21-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Event notification system tied to a file system (U.S. Patent 6549916),
- Method and apparatus for generating typed notes and links in a hypertext database from formation documents (U.S. Patent 6718329).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristina B. Honeycutt whose telephone number is 571-272-4123. The examiner can normally be reached on 8-5:00 Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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KBH

Cesar Paula
CESAR PAULA
PRIMARY EXAMINER